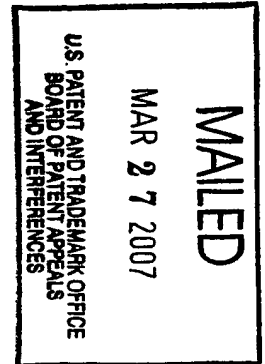


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DONALD F. HAMILTON
AND MICHAEL D. ROSEN

Application 08/777,958



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

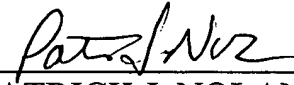
This application was received electronically at the Board of Patent Appeals and Interferences on December 7, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

A review of the file reveals that it is not clear from the record whether the examiner considered the amendment filed September 13, 2005. A written communication notifying appellants of the response to the amendment is required.

ORDERED that the application is returned to the Examiner for:

- 1) consider the Amendment filed September 13, 2005, with appropriate written notification by the Examiner to appellants of such consideration;
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeal Administrator
(571) 272-9797

PJN:kis

CC: FISH & RICHARDSON, P.C.
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